

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

LARRY MILLS

PLAINTIFF

v.

CIVIL NO. 07-5095

MICHAEL J. ASTRUE, Commissioner  
Social Security Administration

DEFENDANT

**ORDER**

On this 15th day of August, 2008, the court has before it for consideration plaintiff's request for attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412. For reasons set forth in the report and recommendation filed by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas, on July 28, 2008, the court finds that the Magistrate's recommendations should be adopted *in toto* and hereby awards plaintiff's attorney fees in the amount of \$3526.96, representing 22.83 hours of work at a rate of \$152.00 and \$56.80 in expenses. This amount shall be paid in addition to, and not out of, any past-due benefits plaintiff may be awarded in the future.

IT IS SO ORDERED.

/s/Jimm Larry Hendren  
HONORABLE JIMM LARRY HENDREN  
UNITED STATES DISTRICT JUDGE